



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

201-15629

SEP 13 2004

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

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Corporate Director of Product Responsibility
The Dow Chemical Company
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OCT 7 2004
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Thank you for your letter dated November 30, 1999, to the U.S. Environmental Protection Agency (EPA) regarding the EPA's High Production Volume (HPV) Challenge Program. I apologize for the lengthy delay in responding to your request.

Your letter states that The Dow Chemical Company produces 2-Biphenylol, sodium salt (CAS No. 132-27-4) and 3,5,7-Triaza-1-azoniaadamantane, 1-(3-chloroallyl)-,chloride (CAS No. 4080-31-3) only for use as registered pesticides. The letter also states that use as a pesticide would exclude them from being subject to the EPA HPV Challenge, that they were mistakenly reported under the Inventory Update Rule (IUR), and that Dow should be dis-associated from these chemicals on the web page.

Although The Dow Chemical Company may only use these two chemicals for pesticidal purposes, other companies may use them for TSCA-related uses. It is EPA's position that chemicals tested and approved under other agency programs may contain data gaps in areas which are elements of the HPV Challenge Program. Furthermore, exposure scenarios may be different and may have the potential to cause adverse impacts on health or the environment. In addition, the data supporting the registration of chemicals under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) may not be publicly available because of confidentiality claims. However, data submitted under FIFRA could be submitted to the HPV Challenge Program by a manufacturer in the form of robust summaries and thus allow it to become public.

As you may know, EPA posted draft guidance on procedures for removing chemicals that are no longer HPV from the scope of the voluntary HPV Challenge Program on its Chemical Right-to-Know (ChemRTK) website at www.epa.gov/chemrtk in March, 1999. Based on EPA's review of all the pertinent IUR data from 1998 and 2002, EPA has determined that 3,5,7-Triaza-1-azoniaadamantane, 1-(3-chloroallyl)-,chloride (CAS No. 4080-31-3) **does not meet** the "no

longer HPV" criteria. Since Agency records show this chemical is still unsponsored, EPA encourages The Dow Chemical Company to consider sponsoring the chemical or to encourage other companies regarding possible sponsorship of this chemical.

2-Biphenylol, sodium salt (CAS No. 132-27-4) **does meet** the "no longer HPV" criteria and the HPV Challenge Program Chemical List has been annotated with a "5" to indicate that this chemical is "no longer HPV."

We will post your letter, accompanied by our reply, on the ChemRTK website as soon as possible. Should you have any questions pertaining to this response, please contact Diane Sheridan at (202) 564-4770. If you have general questions concerning the HPV Challenge Program, please submit them through the ChemRTK website comment button or through the TSCA Assistance Information Service (TSCA Hotline) at (202) 554-1404. The TSCA Hotline can also be reached via e-mail at tsc-hotline@epa.gov.

Sincerely,

Wardner G. Penberthy
Acting Director
Chemical Control Division

cc: AR201